

ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST

THE HONOURABLE _____)

FRIDAY, THE 1ST

JUSTICE HAUNEY)

DAY OF MARCH, 2019)

BETWEEN:

ASTRAZENECA CANADA INC.

Plaintiff

- and -

SAMEH SADEK also known as SAM SADEK,
ST. MAHARIAL PHARMACY INC. dba MD HEALTH PHARMACY,
ST. MAHARIAL CLINIC INC., SRX INVESTMENT INC.,
SHEPHERD RX PHARMACY INC. and LILIAN FAM

Defendants

ORDER
(Ancillary Relief)

THIS MOTION, made by Alvarez & Marsal Canada Inc. (“A&M”), in its capacity as the Court-appointed receiver (in such capacity, the “**Receiver**”), without security, of the assets, undertakings and properties of Sameh Sadek also known as Sam Sadek, St. Maharial Pharmacy Inc. dba MD Health Pharmacy, St. Maharial Clinic Inc., SRX Investment Inc., Shepherd RX Pharmacy Inc. and Lilian Fam (collectively, the “**Defendants**”), for an order, *inter alia*: (i) approving the Third Report of the Receiver dated February 13, 2019 (the “**Third Report**”), and the actions and activities of the Receiver set out therein; (ii) approving the fees and disbursements of the Receiver and its legal counsel, Aird & Berlis LLP (“A&B”); and (iii) approving the Receiver’s Interim Statement of Receipts and Disbursements as at February 6, 2019 (as set out in the Third Report), was heard this day at 330 University Avenue, Toronto, Ontario.

ON READING the Motion Record of the Receiver, including the Third Report and the appendices thereto, the affidavit of Ian Aversa sworn February 12, 2019 and the affidavit of Alan J. Hutchens sworn February 13, 2019, and on hearing the submissions of counsel for the Receiver, no one appearing for any other person on the service list, although properly served as appears from the affidavit of Paula Hoosain sworn February 13, 2019, filed.

SERVICE

1. **THIS COURT ORDERS AND DECLARES** that the time for service of the Notice of Motion and the Motion Record are hereby validated so that this Motion is properly returnable today and hereby dispenses with further service thereof.

APPROVAL OF THE THIRD REPORT

2. **THIS COURT ORDERS** that the Third Report and the conduct and activities of the Receiver described therein be and are hereby approved.

APPROVAL OF FEES AND DISBURSEMENTS

3. **THIS COURT ORDERS** that the fees and disbursements of the Receiver, being fees and disbursements totalling \$241,693.96 (inclusive of HST), as set out in Appendix "H" to the Third Report, are hereby approved.

4. **THIS COURT ORDERS** that the fees and disbursements of the Receiver's legal counsel, A&B, totalling \$187,221.06 (inclusive of HST), as set out in Appendix "I" to the Third Report, are hereby approved.

APPROVAL OF INTERIM RECEIPTS AND DISBURSEMENTS

5. **THIS COURT ORDERS** that the Receiver's Interim Statement of Receipts and Disbursements for the period of September 11, 2018 to February 6, 2019, as set out in Section 8 of the Third Report, be and is hereby approved.

ENTERED AT / INSCRIT À TORONTO
ON / BOOK NO:
LE / DANS LE REGISTRE NO:

MAR 01 2019

PER / PAR: *RW*

ASTRAZENECA CANADA INC.
Plaintiff

-and-

SAMEH SADEK also known as SAM SADEK, et al.
Defendants

Court File No. CV-18-602745-00-CL

**ONTARIO
SUPERIOR COURT OF JUSTICE
COMMERCIAL LIST**

Proceedings commenced at Toronto

**ORDER
(Ancillary Relief)**

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*Lawyers for Alvarez & Marsal Canada Inc., in its capacity as the
court-appointed Receiver of Sameh Sadek also known as Sam Sadek,
et al.*